



Attorney Docket No. PPD50288UST

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: CHENGCAI CHU

SERIAL NO.: 09/581,036

GROUP ART UNIT: 1638

FILED: 08/08/2000

EXAMINER: KALLIS, Russell

FOR: GENETIC METHOD

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

OFFICE ACTION NOT RECEIVED

Adjustment date: 05/27/2008 CKHLOK
12/27/2004 HALI11 00000016 09581036
02 FC:1252 -450.00 DP

Applicant hereby petitions to withdraw holding of abandonment in this case, on the basis that the Office Communication re: Notice of Improper Request for Continued Examination (RCE) mailed February 2, 2005 forming the basis of the abandonment was not received.

Applicant also never received a Notice of Abandonment from the Office in this case.

Adjustment date: 05/27/2008 CKHLOK
03/20/2008 ATRINH 00000002 09581036
01 FC:1453 -1540.00 DP

Adjustment date: 05/27/2008 CKHLOK
03/20/2008 ATRINH 00000002 09581036
02 FC:1464 -130.00 DP

I hereby state:

- (a) The Office Communication re: Notice of Improper Request for Continued Examination mailed on February 2, 2005 was not received.
- (b) A Notice of Abandonment from the Office was never received.
- (c) A search of the file jacket and the docket records in my office indicates that the Office Communication re: Notice of Improper Request for Continued Examination mailed February 5, 2005 was not received.

Refund Ref: 05/27/2008 0030056112

Credit Card Refund Total: \$1670.00

VISA.....: XXXXXXXXXXXX0681

03/20/2008 ATRINH 00000002 09581036

02 FC:1464

130.00 DP

Refund Ref: 05/27/2008 0030056111

Credit Card Refund Total: \$450.00

VISA.....: XXXXXXXXXXXX8991



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03/20/2008 ATRIHH 00000002 09581036

02 FC:1464

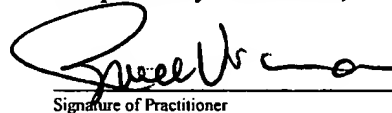
130.00 0P

Abandoned Unintentionally Under 37 C.F.R. 1.137(b) be granted. In addition, Applicant requests that the Office Communication re: Notice of Improper Request for Continued Examination be resent to Applicant at the below listed address.

Please charge the petition fee of \$130.00 to Applicant's credit card. A Credit Card Payment Form is enclosed for processing. Applicant also encloses \$1540.00 for the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b).

If any additional information is needed, the Office of Petitions is invited to call the undersigned attorney at (919) 541-8614.

Respectfully submitted,



Signature of Practitioner

Date: 3/17/09

Bruce Vrana

Type or print name of person signing

Syngenta Biotechnology, Inc.

3054 E. Cornwallis Road

Durham, NC 27709

Reg. No.: 38,672

Tel. No.: (919) 541-8614

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: <u>05/27/08</u>		2 Serial/Patent # <u>09581036</u>										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
<input checked="" type="checkbox"/>	Extension of Time		12/23/04	\$ 450								
	Notice of Appeal/Appeal			\$								
<input checked="" type="checkbox"/>	Petition		03/20/08	\$ 1540.00 130.00								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
	Maintenance			\$								
	Assignment			\$								
	Other			\$								
		7 TOTAL AMOUNT OF REFUND		\$ 130.00 2120.00								
		8 TO BE REFUNDED BY: CREDIT CARD										
		Treasury Check										
		Credit Deposit A/C #:										
		9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>										
10 REASON:												
	Overpayment											
	Duplicate Payment											
<input checked="" type="checkbox"/>	No Fee Due (Explanation):											
No additional petition fee is required as it is a renewed petition under §1.137(b).												
No fee required for petition under §1.181. Ext. of time filed after application was abandoned.												
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: <u>Christina Tartera Donnell</u>		TITLE: <u>Petitions Attorney</u>										
SIGNATURE: <u>/christina tartera donnell/</u>		PHONE: <u>571-272-3211</u>										
OFFICE: <u>Office of Petitions - 4700</u>												
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****												
APPROVED: <u></u>		DATE: <u>5/27/08</u>										

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: